

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, FEBRUARY 7, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 31, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
  
- 2) **SPECIAL PRESENTATIONS:**
  - A. Presentation of the County-City Volunteer of the Month Award to Angie Early for her services in the Mayor's Office.
  
  - B. A one time cash award, in the amount of \$350, for Tina Holland, an employee with Lancaster Manor, due to exceptional circumstances.
  
  - C. Presentation of the Annual Commissioners' Award of Excellence for 2005 to the team of Gerald Hauder and Todd Styskal with the Corrections Department.
  
  - D. Presentation of Annual Honorable Mention Commissioners' Award of Excellence for 2005 to the following individuals:
    - ▶ Shawn Oglesby with the Youth Services Center
    - ▶ Deputy Gregory Goodwater with the Sheriff's Office
  
- 3) **CLAIM FOR REVIEW:**
  - A. A payment voucher, dated December 30, 2005 - Human Services has requested payment to Field's Floral, in the amount of \$34.24, for a floral arrangement.
  
- 4) **CLAIMS:** Approval of all claims processed through Tuesday, February 7, 2006.

<p style="text-align:center"><b>THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.</b></p>
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5) **PUBLIC HEARINGS:**

- A. Continuation of a public hearing regarding County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, for two lots and one outlot, on property generally located at North 176<sup>th</sup> and Holdrege Streets, and more specifically Knotting Drive and North 179<sup>th</sup> Street in Lancaster County, Nebraska. (See Old Business Items 6A and 6B for correlating documentation.)
- B. County Change of Zone No. 05079, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Alan Baade, on property generally located northwest of South 82<sup>nd</sup> Street and Roca Road in Lancaster County, Nebraska. (Hearing will be continued to February 28, 2006 at the request of applicant.)
- C. County Preliminary Plat No. 05017, Red Cedar Ridge, requested by Lyle Loth of ESP on behalf of Alan Baade, owner, on property generally located northwest of South 82<sup>nd</sup> Street and Roca Road in Lancaster County, Nebraska. (Hearing will be continued to February 28, 2006 at the request of applicant.)
- D. A proposed resolution requiring the inspection of existing wells and on-site wastewater treatment systems prior to the sale of property. (See New Business Item 7A for correlating resolution.)

6) **OLD BUSINESS:**

- A. A resolution in the matter of County Final Plat No. 05094: Wyndam Place 2<sup>nd</sup> Addition, consisting of two lots and one outlot on property generally located at North 176<sup>th</sup> and Holdrege Streets, and more specifically Knotting Drive and North 179<sup>th</sup> Street, in Lancaster County, Nebraska. (R-05-0152)
- B. A subdivision agreement with Bernie and Connie Heier, for County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, on property generally located at North 176<sup>th</sup> and Holdrege Streets, more specifically Knotting Drive and North 179<sup>th</sup> Street in Lancaster County, Nebraska. (C-05-0575)

7) **NEW BUSINESS:**

- A. A resolution in the matter of adopting procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property in Lancaster County, Nebraska. (R-06-0005)
- B. An application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service for Beta Theta Fraternity in connection with the Alumni Founders Day event to be held on Saturday, February 25, 2006 from 8 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street in Lancaster County, Nebraska.
- C. A grant contract with the Rape Spouse Abuse Crisis Center to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$45,619. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0039)
- D. A grant contract with the Malone Community Center for management of the Drug Education for Youth (DEFY) Project, in the amount of \$10,000. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-06-0040)
- E. An agreement with Murphy Tractor and Equipment Company, Inc. for three motor graders complete with trade-in allowance for the County Engineer, in the amount of \$423,552. Murphy Tractor will pay for all costs of repair, including parts and labor, in excess of \$5,500 per unit during the next seven years and the guaranteed repurchase of \$83,000 per motor grader after seven years. (C-06-0041)
- F. An agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steven McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the special election on February 14, 2006. The agreement will commence upon execution by both parties and will continue until February 17, 2006. The County will pay \$31 per polling location for the delivery services. (C-06-0042)
- G. Utility Permit No. 792 allowing the City of Lincoln to construct a 16 inch water line on the east side of South 40<sup>th</sup> Street from Yankee Hill Road to Rokeby Road. (C-06-0043)

7) **NEW BUSINESS CONTINUED:**

- H. A Federal Equitable Sharing agreement between the Federal government and the Lancaster County Attorney's Office for participation in the equitable sharing program and restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned. The agreement is valid through September 30, 2008. (C-06-0044)
- I. A contract with Wagey Drug Company, Inc. for annual requirements for pharmacy services for the Lancaster County General Assistance program. (C-06-0046)
- J. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Sealcoat Services, Inc. d/b/a SCS Construction Company, in the amount of \$22,400, for crack sealing of roadways at various locations within Lancaster County. (B-06-0005)
- K. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Brandt Excavating, in the amount of \$136,407.19, for erosion control at box culverts and bridges as specified by the County Engineer. (B-06-0006)
- L. Request from the Lancaster County Personnel Policy Board for the following:
  - ▶ Creation of Risk Management Specialist classification at a proposed pay grade of \$31,767.84 to \$41,454.40 (E18)
  - ▶ Change the pay grade of Publication and Resource Assistant classification to a proposed pay grade of \$28,912 to \$37,918.40 (C16).
- M. A political subdivision tort claim filed against the Corrections Department by Daniel Shandrew for lost property, in an unknown amount.
- N. A political subdivision tort claim filed against Lancaster Manor by Jose and Marilyn Reguerira for lost property, in the amount of \$50 to \$70.
- O. Appointment of Rev. Wayne Reynolds to the Keno Human Services Prevention Fund Advisory Board to fulfill the unexpired term of Tina Fardella which expires July, 2007.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Clerk's Monthly Report for January, 2006.
2. Lancaster Manor's Monthly Report.
3. Sheriff's Report of Fees for December, 2005.

B. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Joseph A. Mara, in the amount of \$3,229, on West "A" Street from Southwest 84<sup>th</sup> Street to the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (C-06-0045)

9) **EMERGENCY ITEMS AND OTHER BUSINESS:**

10) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will not hold a Staff Meeting on Thursday, February 9, 2006 due to attendance at the Nebraska Association of County Officials (NACO) workshop February 8-10, 2006 in Kearney, Nebraska.

B. A public hearing will be held on Tuesday, February 14, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Change of Zone No. 05086, from the Director of Planning at the request of the Lancaster County Board of Commissioners, a text amendment to Article 7.007 of the Lancaster County Zoning Resolution to provide a specific parking requirement for "mini-storage" use in the County "B" Business District.

C. A public hearing will be held on Tuesday, February 28, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for a Class D (Spirits, Wine, Beer Off Sale Only) liquor license from Casey's Retail Company d/b/a Casey's General Store #2721 (formerly Gas 'N Shop), located at 4003 West Highway 34 and an application for Corporate Manager for Sharon Kay Nelson Scusa in connection with said license application.

10) **ANNOUNCEMENTS CONTINUED:**

- D. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

11) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40<sup>th</sup> Street and Rokeby Road in Lancaster County, Nebraska. (Placed on pending September, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- F. A resolution regarding the creation of a joint public agency as provided by the Joint Public Agency Act with the participation of the County of Lancaster and the City of Lincoln. The Joint Public Agency is being created to provide for the design, acquisition of land and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. (R-05-0109) (Placed on pending September, 2005.)

11) **PENDING CONTINUED:**

- G. Vacation of a portion of South 162<sup>nd</sup> Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6<sup>th</sup> P.M., in Lancaster County, Nebraska. (Placed on pending October, 2005.)
- H. A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105<sup>th</sup> Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Placed on pending November, 2005.)

12) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, FEBRUARY 1, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 1, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

**THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.**

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 8 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Developmental Services of Nebraska, Inc.

- 4) **ADJOURNMENT:**

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